

COMMITTEE ON HUMAN SERVICES

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HB 2204 – Chapter 98 – DES; notice; documents; electronic service

Authorizes electronic transmission of documents in the Department of Economic Security (DES) Office of Appeals.

- Allows DES to electronically serve or deliver any notice, decision, order or other document rendered by the Department's appeal tribunals or the DES Appeals Board. The party being served must consent in writing or on the record to electronic service before DES is able to utilize this method. Electronic service is deemed complete on transmission.
- Allows interested parties to electronically file affidavits for change of appeal tribunal, petitions for review, appeals or requests to reopen hearings.

HB 2206 – Chapter 36 – unemployment insurance; liability; liens; service

Modifies DES authority to administer state unemployment insurance (UI) programs, authorizes DES to transmit UI documents electronically and allows DES to administratively release, subordinate or withdraw a lien.

- Implements a statutory time limit of six years for DES to collect delinquent UI contributions, payments in lieu of contributions, interest or penalties and extinguishes the uncollected payment obligations and liens after six years have elapsed.
- Suspends the six-year limit for collections if DES has already initiated civil action to collect the debt, the taxpayer agrees in writing to extend the collections period, or Federal or state law halts enforced collection action.
- Stipulates that state UI contributions, interest or penalties that count as credit toward federal UI contributions remain due regardless of the date the payment became delinquent.
- Allows DES to serve liability determinations, reconsidered determinations, and annual or quarterly notices to employers electronically.
- Permits electronic service of other UI documents, including revised determinations or refusals to grant relief if the party being served has consented in writing to electronic service before DES may utilize this method and states that electronic service is deemed complete on transmission.
- Directs DES to issue a release of a recorded lien when the lien has been satisfied, and to record the release of lien in any county where the original lien was recorded and with the Secretary of State, if applicable.
- Allows DES to release property subject to a lien, subordinate a lien to other liens, or withdraw a recorded notice of a lien when certain conditions apply.
- Specifies DES is not required to record a release of lien in cases of compromised contributions claims or extinguished contributions debts, unless a written request is made by the taxpayer.

HB 2276 – Chapter 63 – child support; arrearages

Eliminates the practice of charging interest on past child support and allows recipients of child support to waive child support arrearages.

- Specifies that orders of past child support do not accrue interest if the order is entered after September 26, 2008. Past support orders entered before September 26, 2008 will continue to accrue interest at the annual rate of 10 percent. Interest accrues only on the principal, not interest.

- Allows an obligee to assign credit to the account of an obligor's arrearage payments by filing a signed waiver with the Clerk of the Court. The waiver of support arrearages does not reduce the amount owed to DES in Title IV-D cases.
- Allows affidavits of direct payment or waivers of arrearages to be signed by only the obligee and applies credits toward support arrearages based on the dates contained in the affidavit.

HB 2277 – Chapter 101 – child support; presumptions

Requires the court to presume the noncustodial parent is capable of full-time employment at least at the applicable state or federal minimum wage, whichever is higher, when a child support order is calculated using a minimum wage income.

HB 2390 – Chapter 104 – department of economic security; continuation

Continues DES until July 1, 2018.

HB 2439 – Chapter 148 – procurement; government set aside program

Eliminates the termination date of the state government Set Aside Program.

HB 2505 – Chapter 181 – *child support; medical insurance

Outlines requirements and procedures for the court to address medical insurance or cash medical support in a child support order.

- Requires the court to consider a child's medical support plan when determining the appropriate amount of child support in a child support order.
- Recommends the medical support plan include the child's medical support needs, the availability of medical insurance or services and whether a cash medical order is necessary. Directs each parent to provide the court with such pertinent information.
- Establishes terms for the court to address medical insurance or medical support in a child support order if the court finds that neither parent has medical insurance accessible and available at a reasonable cost. The court is required to:
 1. Establish a monthly cash medical support amount to be paid by the obligor.
 2. Assign cash medical support to the state if the child is receiving care through the Arizona Health Care Cost Containment System or another medical assistance program under Title XIX of the Social Security Act.
 3. Order one parent to provide medical insurance when it becomes accessible and available at a reasonable cost.
 4. Order the parties to share medical costs in excess of the cash medical support amount, according to the assigned responsibility for uninsured costs.
- Requires the court to stipulate to establish an alternative cash medical support amount to be paid by the obligated parent if the child is not covered by a medical insurance plan within 90 days after the entry of the order or if there is a lapse in insurance coverage.
- Clarifies the parent responsible for providing medical insurance in Title IV-D cases must notify the state Division of Child Support Enforcement instead of the state support payment clearinghouse if insurance has been obtained or if the child is no longer covered under an insurance plan.
- Requires the Director of the Department of Insurance (DOI) to annually provide a list of authorized insurers who transact insurance in Arizona and who offer individual health insurance plans. The list must be made available to the public as early as possible in and with respect to the current calendar year.

- Allows the director of DES to disseminate the information provided by DOI regarding medical insurance plans and enter into agreements with a consortium of other states to increase the availability of medical insurance coverage to children in Title IV-D cases.

HB 2601 – Chapter 166 – *short-term caregivers; foster children

Outlines oversight and notification requirements if circumstances require a foster parent to leave a foster child in the short-term care of another person.

- Requires the foster parent to use reasonable judgment in the choice of an adult to provide care and notify the DES case manager within 24 hours in a nonemergency situation, or within 72 hours in an emergency situation.
- Specifies that the foster parent of a developmentally disabled child, a child needing special treatment or a medically fragile child must implement the alternate care plan approved by DES if the foster parent must leave the child in the care of another person.

HB 2602 – Chapter 117 – criminal history records; DES

Permits the Department of Public Safety (DPS) to exchange criminal history records with DES for the purpose of safety and risk assessment during a Child Protective Services (CPS) investigation.

- Requires the director of DPS to authorize the exchange of criminal records history in the Central State Repository with CPS pursuant to the federal Adam Walsh Child Protection and Safety Act. Identifies the sources of criminal history information as the National Crime Information Center, the Interstate Identification Index, and the Arizona Criminal Justice Information System.
- Stipulates the information must be provided after CPS submits to DPS the fingerprints of the person being investigated or the person's name, birth date and social security number.

HB 2633 – Chapter 268 – *children school activities; noninterference

Requires child welfare agencies or Child Protective Services to make all reasonable attempts not to withdraw a foster child from school for visitations, appointments or non-school activities.

HB 2764 – Chapter 168 – dependent children; successor permanent guardianships

Establishes procedures for a court to appoint a successor permanent guardian when the current permanent guardian is unable or unwilling to continue to serve in that capacity.

HB 2836 – Chapter 248 – guardians and conservators

Establishes compensation guidelines for the payment of a lawyer representing a guardian or conservator in their official duties, revises a conservator's requirements to provide accounts of an estate to the court, and enacts procedures allowing the conservator to continue acting on behalf of a protected person's estate after the protected person's death.

SB 1011 – Chapter 6 – residency restrictions; schools; child care

Applies the 1,000-foot residency restriction to individuals convicted of an offense in another jurisdiction if the offense would be classified as a Dangerous Crime Against Children if committed in Arizona. Clarifies that the distance is a straight line in all directions from the nearest point on a school's or child care facility's property to the nearest point on the individual's property.

SB 1049 – Chapter 22 – *safe haven providers; notices

Instructs designated safe haven locations to post identifying notices outside every entrance.

SB 1100 – Chapter 78 – *CPS services; court order

Revises language to allow the court to request or order services from the Division of Children and Family Services if the court believes a child may be the victim of abuse or neglect.

SB 1112 – Chapter 124 – divorce; disposition of property

Affirms the status of preexisting community property. Allows the court to consider the exempt status of certain property as well as debt and obligations that occur when community property is divided. The court must enter findings of fact if any part of the division is in the nature of support.

SB 1219 – Chapter 190 – *developmental disability providers

Prescribes notification and disclosure requirements and establishes procedures for the Division of Developmental Disabilities (DDD) and developmental disability service providers. Requires contract amendments to be included in the annual review of reimbursement rates to developmental disability providers.

- Requires DDD to disclose to a service provider the necessary historical and behavioral information of a client in all meetings in response to a vendor call in addition to the current requirement to disclose information in the individual program plan.
- Authorizes service providers to engage in the outlined activities in accordance with a client's individual program plan.
- Allows DES to adopt rules establishing procedures for service providers to engage in the prescribed activities involving medications.
- Requires a provider to notify DDD within 24 hours when an emergency situation exists in which the service provider is unable to meet the health and safety needs of a client.
- Upon notification of an emergency situation, directs DES to convene an individual program plan meeting within 15 days after notification in order to recommend any changes, including whether there is a need for temporary additional staffing and develop a plan within 30 days after notification to resolve the situation.
- Requires an independent consulting firm to include costs resulting from contract amendments in its recommendation for annual inflationary costs, unless the contracts were modified in response to federal or state law.

SB 1253 – Chapter 259 – state employees; living donor leave.

Entitles state employees to a leave of absence of five work days with base pay to serve as a bone marrow donor or 30 work days to serve as an organ donor.

SB 1282 – Chapter 162 – adult adoption

Allows an adult to adopt another adult who is at least 18 but no more than 21 years of age if the adult being adopted gives consent.

SB 1440 – Chapter 197 – child dependency cases; performance standards

Mandates Administrative Office of the Courts (AOC) to develop judicial performance standards by December 31, 2008 for courts that handle child dependency cases, review the implementation of the standards and their impact on the management of child dependency cases by December 31, 2009, and submit a report of its findings and recommendations to the Governor and Legislature by February 1, 2010.

SB 1441 – Chapter 198 – foster care; expedited permanency

Expedites permanency for children less than three years of age who have been removed from the home and modifies court procedures in child dependency and permanency hearings.

- Increases the age of a child for whom the court must hold a final adoption hearing within ninety days after an adoption petition is received, from less than six months of age to less than three years of age.
- Establishes the following set of circumstances as grounds for termination of parental rights:
 - A child under the age of three has been in out-of-home placement for a cumulative period of six months or more.
 - The agency responsible for the child's care has made a diligent effort to provide appropriate reunification services.
 - The parent has substantially neglected or willfully refused to remedy the circumstances causing the child to be in out-of-home care, including refusing to participate in reunification services offered by DES.
- Requires the court to inform a parent of these grounds for termination at a preliminary protective hearing in all cases.
- Modifies permanency timelines for children who are less than three years of age by requiring the court to do the following:
 - Determine within six months after the child is removed from the home whether reasonable efforts have been made to provide reunification services to the parent.
 - Consider at the first periodic review hearing whether the parent has substantially neglected or willfully refused to participate in reunification services offered by DES.
 - Conduct a permanency hearing within six months after the child is removed from the home.
- Specifies additional information the court must provide at a preliminary protective hearing in all cases. The court is required to:
 - Inform a foster parent, pre-adoptive parent or an extended family member with whom the child has been placed of their right to be heard in any proceeding relating to the child.
 - Notify a relative identified as a possible placement for the child of their right to be heard in any proceeding relating to the child.
- Requires the court, if it determines at any permanency hearing that termination of parental rights is in a child's best interests, to order DES to make reasonable efforts to place the child in a timely manner in accordance with the child's permanency plan and to complete any steps necessary to finalize the child's permanent placement.

SB 1442 – Chapter 199 – dependent children; placement; hearings

Requires the court to inform a foster parent, pre-adoptive parent, or an extended family member with whom the child has been placed of their right to be heard in any proceeding relating to the child, and to notify a relative identified as a possible placement for the child of their right to be heard in any proceeding relating to the child.